



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

**UNITED STATES OF AMERICA**

**v.**

**DANIEL GUTIERREZ-HERNANDEZ,**  
**a/k/a, DANIEL GUTIERREZ**  
**HERNAN,**

**Defendant.**

Criminal No.

8:23-cr-339 (AMN)

**Information**

Violations: 8 U.S.C. § 1324(a)(1)(A)(v)(I)  
[Conspiracy to Commit Alien  
Smuggling]  
8 U.S.C. § 1324(a)(2)(B)  
[Alien Smuggling]

Three Counts

County of Offense: Franklin

**THE UNITED STATES ATTORNEY CHARGES:**

**COUNT 1**

**[Conspiracy to Commit Alien Smuggling]**

On or about June 30, 2023, in Franklin County in the Northern District of New York, and elsewhere, the defendant, **DANIEL GUTIERREZ-HERNANDEZ, a/k/a, DANIEL GUTIERREZ HERNAN,** and others, did conspire to commit alien smuggling by, knowing that one or more persons were aliens, that is eight aliens believed to have the initials L.R-G., L.G.M.Z., B.J.-P., D.O.-U., M.M.-C., C.R.-H., A.O.-V. and A.G.-M., did bring to the United States in any manner whatsoever, such persons at a place other than a designated port of entry, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(i) and (a)(1)(A)(v)(I). That violation was done for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Section 1324(a)(1)(B)(i).

**COUNT 2**  
**[Alien Smuggling]**

On or about June 30, 2023, in Franklin County in the Northern District of New York, the defendant, **DANIEL GUTIERREZ-HERNANDEZ, a/k/a, DANIEL GUTIERREZ HERNAN**, knowing and in reckless disregard of the fact that an alien believed to have the initials A.O.-V. had not received prior official authorization to come to, enter, and reside in the United States, did bring to the United States in any manner whatsoever, such alien, in violation of Title 8, United States Code, Section 1324(a)(2). That violation was done for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii). Count Two was the defendant's first violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), in violation of Title 8, United States Code, Section 1324(a)(2)(B).

**COUNT 3**  
**[Alien Smuggling]**

On or about June 30, 2023, in Franklin County in the Northern District of New York, the defendant, **DANIEL GUTIERREZ-HERNANDEZ, a/k/a, DANIEL GUTIERREZ HERNAN**, knowing and in reckless disregard of the fact that an alien believed to have the initials A.G.-M. had not received prior official authorization to come to, enter, and reside in the United States, did bring to the United States in any manner whatsoever, such alien, in violation of Title 8, United States Code, Section 1324(a)(2). That violation was done for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii). Count Three was the defendant's second violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), in violation of Title 8, United States Code, Section 1324(a)(2)(B).

Dated: September 14, 2023

CARLA B. FREEDMAN  
United States Attorney

By: /s/ Jeffrey C. Stitt  
Jeffrey C. Stitt  
Assistant United States Attorney  
Bar Roll No. 520195